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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
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09/116,124 07/15/98 NISHINA Y 450100-4521

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WM51/1025

EXAMINER

TRAN, H

ART UNIT

PAPER NUMBER

2611

DATE MAILED:

10/25/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/116,124

Applicant(s)

NISHINA ET AL.

Examiner

Hai Tran

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claims ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☒ All b) ☐ Some * c) ☐ None of the CERTIFIED copies of the priority documents have been:
1. ☒ received.
2. ☐ received in Application No. (Series Code / Serial Number) ____.
3. ☐ received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 18) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

1. Claims 1-15 rejected under 35 U.S.C. 102(e) as being unpatentable by Shiga et al. (US 6005562).

Regarding claim 1, Shiga discloses a transmitter system for transmitting second information related to first information (Fig.1)

Generating means for generating the second information (Col.13, lines 66- Col.14, line 24) and third information (event_still_image) concerning a layout in displaying the second information (Fig.16); and

Transmitting means for transmitting the second information and the third information of a first part (the leading 10 bytes, the original_network_id(2) and last_table_id(1)) including identification information (table_id) for identifying the second information and the third information, and a second part (event descriptors loop [0..N]) composed of actual data (Col.13, lines 54-27).

Regarding claim 2, Shiga further discloses each event descriptors loop correspond to a part claimed in which correspond to the same data structure of each event (see claim 1 analysis).

Regarding claim 3, Shiga further discloses wherein the transmitting transmits the second and third information separately (Fig.1, element 304)(Col.6, lines 26-34).

Regarding claims 4, 5, 6, 7 and 12, Shiga discloses a receiver for recovering the program and EPG data transmitted over the broadcast channel to which a tuner is tuned. Although not specifically disclosing the receiver receiving the second information and third information concerning on a layout in displaying the second information; generating fourth information for displaying the second information from the second information and the third information; first separating the second and third information into a first part containing identification for identifying the second information and the third information, and a second part composed of actual data; second separating the second part into a third part comprising identification information for identifying the second part and a fourth part composed of actual data ; retrieving data of the second part and the fourth part of the second information and the third information based on the identification information; updating the second part and the fourth part of the second information and the information based on the identification information; displaying a first windows on a predetermined screen and displaying data of fourth part within the first windows as claimed in claim 4-7, Shiga receiver must identify each stream of data so the receiver could recovers the program and EPG data transmitted. The MPEG streams are received and separated by the de-multiplexer, stored in corresponding memory buffer of the receiver so that the CPU of the receiver could read out from the buffer memory the corresponding video and audio data and process them along with any control

information received by users to display EPG and information on the appropriate location of the TV display as shown in Fig. 7 (also see Col.21, lines 60 - Col.23, lines 3). Clearly the MPEG stream would have information concerning the layout of the EPG received therein, thus meeting the limitation of claims 4-7 and 12.

Regarding method claim 8, see analysis of apparatus claim 1-3.

Regarding method claims 9 and 13, see analysis of apparatus claims 4-7 and 12.

Regarding claims 10-11 and 14, see analysis of claim 1-3.

Regarding claim 15, Shiga further discloses wherein the first window is composed of one or more boxes and the box is composed of one or more cells (Fig.7, 6 and 5) (Col.9, lines 3-30).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Scott et al. (US 5675752) shows an interactive applications generator for an interactive presentation environment.

LaJoie et al. (US 5850218) shows an interactive program guide with default selection control.

Trumbull et al. (US 5795228) shows an interactive computer-based entertainment system.

Bertram (US 6011546) shows a programming structure for user interfaces.

Eyer et al. (US 5982445) shows hypertext markup language protocol for television display and control.

Matthews, III et al. (US 6025837) shows an electronic program guide with hyperlinks to target resources.

Contact Fax Information

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or Faxed to:

(703) 308-9051, (for formal communication intended for entry)

or:

(703) 308-5399, (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai Tran whose telephone number is (703) 308-7372. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile, can be reached on (703) 305-4380. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-5399.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

HT:ht
10/22/00


ANDREW FAILE
SUPERVISORY PATENT EXAMINER
GROUP 2600